

Education Cabinet

Kentucky Board of Education

Department of Education

(Amendment)

702 KAR 7:125. Pupil attendance.

RELATES TO: KRS 157.320, 157.350, 157.360, 158.030, 158.060, 158.070, 158.100,
158.240, 159.010, 159.030, 159.035, 159.140, 159.170, 161.200

STATUTORY AUTHORITY: KRS 156.070, 156.160, 157.320, 158.060, 158.070

NECESSITY, FUNCTION, AND CONFORMITY: KRS 157.320 defines average daily attendance of pupils for funding purposes under the Support Education Excellence in Kentucky (SEEK) Program. KRS 157.360 bases SEEK funding upon average daily attendance. KRS 158.030, 158.100, and 159.030 establish the age for compulsory school attendance. KRS 158.060 defines the school day and month and make-up of school days missed. KRS 158.070 defines the school term. KRS 158.240 and 159.035 define attendance credit for moral instruction and 4-H activities. KRS 161.200 requires attendance records to be kept by teachers. This administrative regulation establishes a uniform method of recording pupil attendance.

Section 1. (1) The local board of education, upon recommendation of the local school district superintendent, shall adopt a school calendar for the upcoming school year on or before May 15 of each year. The calendar shall:

(a) Establish the opening and closing dates of the school term;

- 1 (b) Establish beginning and ending dates of each school month;
- 2 (c) State the number of days of instruction;
- 3 (d) Establish the minimum length of the instructional day;
- 4 (e) State the instructional time the local board of education requires for kindergarten if in
- 5 excess of the minimum three (3) hours of instruction;
- 6 (f) State whether the additional instructional time, if any, is planned to be banked to make
- 7 up for full days which may be missed due to an emergency; and
- 8 (g) Designate days on which schools shall be dismissed.
- 9 (2) Opening day, for planning activities without the presence of pupils, shall be scheduled
- 10 to occur prior to the first instructional day of the school term.
- 11 (3) Closing day, for planning activities without the presence of pupils, shall be scheduled
- 12 to occur following the completion of the last instructional day of the school term.
- 13 (4) Local school districts shall plan appropriately for the make-up of instructional time
- 14 missed due to emergency. In addition to the minimum 1,050 hour instructional term, the
- 15 school calendar shall include days equal to the greatest number of days missed system-
- 16 wide in the local school district over the preceding five (5) school years.
- 17 (5) Graduation ceremonies shall be scheduled to occur following completion of the
- 18 instructional term.
- 19 (6) An up-to-date master (bell) schedule shall be on file in a school. Up-to-date master
- 20 (bell) schedules for each school in a district shall be on file in the district's central office.
- 21 Section 2. (1) The local board of education shall file each adopted school calendar with
- 22 the Department of Education no later than June 30 of each year. The local school district

1 shall not be paid any installment of its SEEK program allotment until the school calendar
2 has been approved by the Department of Education.

3 (2) The local board of education, upon recommendation of the local school district
4 superintendent, may amend the school calendar.

5 (3) An amended school calendar shall be submitted for approval to the Department of
6 Education no later than June 30 of each year.

7 Section 3. (1) The regularly scheduled school day shall not be shortened after the school
8 calendar has been adopted by the local board of education and approved by the
9 Department of Education except in cases of emergency declared by the local school
10 district superintendent in accordance with policies of the local board of education.

11 (2) The local school district shall be allowed a total of five (5) hours missed each school
12 year that do not have to be made up, and that occurred as a result of school days
13 shortened due to emergency. These hours shall be reported to the department on the
14 amended school calendar.

15 (3) Except as provided in subsection (2) of this section, all time missed on school days
16 shortened due to emergency shall be made up and shall be reported to the Department of
17 Education on the amended school calendar.

18 Section 4. (1) A school district shall not be considered for disaster days unless the district
19 has missed more than twenty (20) regular instructional days system-wide. The local
20 school district shall make up at least the first twenty (20) regular instructional days
21 missed in a school year by adding these hours back into the school calendar.

(2) A local board of education request for district-wide disaster days shall be submitted to the Commissioner of Education for approval. A copy of the local board order shall accompany this request.

Section 5. A local board of education may request disaster days if one (1) school, or part of the district, is forced to miss school on a particular day due to an emergency. The request shall be submitted to the Commissioner of Education for approval. A copy of the local board order shall accompany this request.

Section 6. (1) The following shall constitute the activities to be conducted during the instructional school day:

(a) Courses and content included in the "Program of Studies for Kentucky Schools, Grades Primary-12", pursuant to 704 KAR 3:303;

(b) Courses and activities included in the local school district program of studies for which a letter of assurance of compliance has been submitted to the Department of Education pursuant to 704 KAR 3:305;

(c) Cocurricular activities which are unequivocally instructional in nature, directly related to the instructional program and scheduled to minimize absences from classroom instruction; and

(d) A maximum of five (5) minutes passing time between instructional periods, and travel time required to participate in regular instructional programs off of the school campus including vocational schools, day treatment centers, and alternative schools. Travel time to off-campus facilities shall be scheduled to minimize absence from classroom instruction.

(2) The local board of education shall adopt a policy specifying cocurricular instructional activities which may be included in the instructional school day, as described in subsection (1)(c) of this section.

(3) Each school shall have available a master (bell) schedule that delineates instructional time periods and noninstructional time periods for all grade levels served and schedules provided.

Section 7. (1) Daily attendance of pupils in elementary schools shall be determined by taking attendance one (1) time each day prior to the start of instruction and maintaining a student entry and exit log at each school.

(2) Daily attendance of pupils in middle and high school shall be determined by taking attendance by class period and maintaining a student entry and exit log at each school.

(3) The student entry and exit log shall include the date, student name, grade or homeroom, time of late arrival, time of early departure (with the reason for both listed), parent or legal guardian signature (for elementary students who are signed out) and other information required by the local board of education.

(4) Pupils shall be physically present in the school to be counted in attendance except under the following conditions:

(a) The pupil is a participant in a cocurricular instructional activity that has been authorized by the local board of education and is a definite part of the instructional program of the school;

(b) The pupil is a participant in an activity as provided in either KRS 158.240 or 159.035;

(c) The pupil is participating in an off-site virtual high school class or block. A student may be counted in attendance for a virtual high school class or block for the year or

semester in which the student initially enrolled in the class or block if the student demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 4(3). [~~final grade for that class or block is passing or above~~];

(d) The pupil's mental or physical condition prevents or renders inadvisable attendance in a school setting, and the pupil meets the requirements of KRS 159.030(2). A pupil being served in the home/hospital program shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days;

(e) The student has been court ordered to receive educational services in a setting other than the classroom. A pupil being served through a court order shall receive a minimum of one (1) hour of instruction two (2) times per five (5) instructional days; [øø]

(f) The student has an individual education plan (IEP) that requires less than full-time instructional services;

(g) The pupil is participating in standards-based performance-based credit that is awarded in accordance with 704 KAR 3:305, Section 4(2)(b) and that falls within one or more of the categories of standards-based course work outlined in 704 KAR 3:305, Section 4(4). A student may be counted in attendance for performance-based credit for a class or block for the year or semester in which the student initially enrolled in the class or block if the student demonstrates proficiency in accordance with local policies required by 704 KAR 3:305, Section 4(3).

(h) The pupil participates in a school that is authorized by the Commissioner of Education to design and deliver an educational program so that all graduation requirements are based on student proficiency of standards and performance rather than time and carnegie units, as authorized in 704 KAR 3:305, Section 4.

(5) Even if a pupil's absence or tardy is due to factors beyond the pupil's control, including inclement weather or failure of the transportation system to operate, the pupil shall be counted absent or tardy.

(6) The local board of education shall determine by local board policy what constitutes an excused and an unexcused absence.

(7) A pupil shall not be allowed to make up absences for the purpose of including make-up activities in the calculation of average daily attendance.

~~Section 8. [(1) The guidelines in this subsection shall be used to calculate student attendance for state funding purposes through June 30, 2005.~~

~~(a) A full day of attendance shall be recorded for a pupil who is in attendance 100 percent of the regularly scheduled school day for the pupil's grade level.~~

~~(b) A tardy shall be recorded for a pupil who is absent less than thirty five (35) percent of the regularly scheduled school day for his grade level.~~

~~(c) One half (1/2) day of attendance shall be recorded for a pupil who is absent thirty five (35) to eighty four (84) percent of the regularly scheduled school day for the pupil's grade level.~~

~~(d) A full day absence shall be recorded for a pupil who is absent greater than eighty four (84) percent of the regularly scheduled school day for his grade level.~~

~~(e) The percentages described in this section shall apply to the regularly scheduled school day approved by the local board of education and shall be applicable to entry level through grade level twelve (12).~~

~~(2) Beginning July 1, 2005,~~ The guidelines in this subsection shall be used to calculate student attendance for state funding purposes.

(a) A full day of attendance shall be recorded for a pupil who is in attendance 100 percent of the regularly-scheduled school day for the pupil's grade level.

(b) A tardy shall be recorded for a pupil who is absent sixty (60) minutes or less of the regularly-scheduled school day for the pupil's grade level.

(c) The actual percentage of the school day shall be recorded for attendance of a pupil absent for more than sixty (60) minutes of the regularly-scheduled school day for the pupil's grade level.

(d) A full day absence shall be recorded for a pupil who is absent 100 percent of the regularly-scheduled school day for the pupil's grade level.

(e) The percentages described in this subsection shall apply to the regularly-scheduled school day approved by the local board of education and shall be applicable to entry level through grade level twelve (12).

Section 9. A local board of education may permit an arrangement whereby a pupil has a shortened school day in accordance with KRS 158.060, or local board of education policy. The time a student is in attendance shall be included in calculating the district's average daily attendance.

Section 10. A local board of education may permit an arrangement in which a pupil pursues part of the student's education under the direction and control of one (1) public school and part of the student's education under the direction and control of another public or nonpublic school. The time a student is served by public school shall be included when calculating the district's average daily attendance.

Section 11. If a local school district, under the provisions of KRS 157.360(6), enrolls a child with a disability in a private school or agency, the private school or agency shall

1 certify the attendance of the child to the local school district at the close of each school
2 month.

3 Section 12. (1) If a local school district enrolls a pupil in the entry level program who will
4 not be five (5) years of age on or before October 1 of the year of enrollment, the total
5 aggregate days attendance for the pupil shall not be included in calculating the district's
6 average daily attendance.

7 (2) If a local school district enrolls a pupil in the second level of the primary program
8 who will not be six (6) years of age on or before October 1 of the year of enrollment, the
9 total aggregate days attendance for the pupil shall not be included in calculating the
10 district's average daily attendance except under the following conditions:

11 (a) The local Board of Education has determined that the student is eligible for
12 enrollment into the second level of the primary program after academic, social and
13 developmental progress records from multiple data sources are reviewed by a team and
14 determined to support accelerated placement. These sources shall include:

- 15 1. anecdotal records;
16 2. a variety of student work samples, including evidence of student self-reflection; and,
17 3. standardized test results;

18 (b) The team is comprised of three (3) members who have knowledge of the student's
19 developmental skills and abilities. Team members shall be chosen from these categories:

- 20 1. teachers;
21 2. parents;
22 3. psychologists;
23 4. principals; or,

1 5. district specialists;

2 (c) At least one (1) team member represents the district office and has an understanding
3 of early childhood development and knowledge of developmentally appropriate practices;
4 and,

5 (d) If a student is recommended by the local Board of Education for accelerated
6 placement into the second level of the primary program, the district shall forward that
7 recommendation to the Department for approval with:

8 1. a list of data sources used in making the decision;

9 2. a list of all individuals who submitted the data sources;

10 3. a list of the team members; and,

11 4. the data needed to create a pupil attendance record.

12 (3) A local school district shall enroll any resident pupil, not holding a high school
13 diploma, under the age of twenty-one (21) years of age who wishes to enroll. The days
14 attended after the student's 21st birthday shall not be included in the calculation of the
15 district's average daily attendance.

16 Section 13. The Growth Factor Report for the first two (2) school months of the school
17 year pursuant to KRS 157.360(8) shall be submitted to the Department of Education
18 within ten (10) business days following the last day of the second school month or by
19 November 1 of each year, whichever occurs first.

20 Section 14. (1) A copy of the written agreement local boards of education execute for
21 enrollment of nonresident pupils as provided by KRS 157.350(4) shall be submitted to
22 the Department of Education no later than February 1 of the year prior to the school year
23 to which it will apply. The written agreement shall include the specific terms to which the

districts have agreed. A list of the names of all nonresident pupils enrolled in the district covered by the agreement shall be submitted to the Department of Education not later than November 1 of the school year covered by the agreement.

(2) A change may be made to the original nonresident pupil agreement up to the close of the school year to include the nonresident pupils enrolling after the close of the second school month. The amendment shall be submitted to the Department of Education no later than June 30 of each year.

Section 15. The superintendent's annual attendance report (SAAR) shall be considered the request to substitute prior year's average daily attendance for up to ten (10) designated weather-related low attendance days, and certification that the low attendance was due to inclement weather in accordance with KRS 157.320(17). Documentation that the low attendance was due to inclement weather shall be retained at the central office.

Section 16. (1) The school's records of daily attendance and teacher's monthly attendance reports, daily and class period absentee lists, student entry and exit logs, and the Home/Hospital Program Form, shall be the original source of attendance data for all pupils enrolled in the public common schools and shall be verified at the end of each school month.

(2) The school's records of daily attendance and teachers' monthly attendance reports shall be signed by a designated certified person within the elementary or secondary school who shall be responsible for verifying and certifying the state attendance documents for accuracy.

(3) The school's records of daily attendance and tenth month teacher's monthly attendance reports shall be retained at least twenty (20) years. The daily and class period

absentee lists, and student entry and exit logs shall be retained at least two (2) full school years after the current school year.

Section 17. ~~[(1) The following entry, reentry and withdrawal codes shall be used to indicate the enrollment status of pupils until June 30, 2005:~~

~~(a) E01—A pupil enrolled for the first time during the current year in either a public or nonpublic school in the United States;~~

~~(b) E02—A pupil previously enrolled during the current school year in either a public or nonpublic school in another state who has not previously enrolled in Kentucky during the current school year;~~

~~(c) E03—A pupil enrolling for the first time during the current school year in either a public or nonpublic school, who has withdrawn as a W06, W07, W13, W16 or W18 during the previous school year;~~

~~(d) R01—A pupil received from another homeroom in the same school;~~

~~(e) R02—A pupil received from another public school in the same public school district;~~

~~(f) R03—A pupil received from a nonpublic school in the same public school district;~~

~~(g) R04—A pupil received from a public school in Kentucky outside this public school district;~~

~~(h) R05—A pupil received from a nonpublic school in Kentucky outside this public school district;~~

~~(i) R06—A pupil reentering the school after dropping out, discharge or expulsion from a school district in Kentucky during the current school year, who has not entered any other school during the intervening period;~~

- ~~(j) R07—A pupil received from a school in another state after having been previously enrolled during the current school year in Kentucky as an E01, E02, or E03;~~
- ~~(k) R10—An expelled pupil received from a state agency in the current school year prior to the completion of the expulsion period;~~
- ~~(l) R11—An expelled pupil received in the current school year, from a regional alternative facility not run by the expelling school district, prior to the completion of the expulsion period;~~
- ~~(m) W01—A pupil transferred to another homeroom in the same school. The reentry code to use with W01 shall be R01;~~
- ~~(n) W02—A pupil transferred to another public school in the same public school district. The reentry code to use with W02 shall be R02;~~
- ~~(o) W03—A pupil transferred to a nonpublic school in this public school district. The reentry code to use with W03 shall be R03;~~
- ~~(p) W04—A pupil transferred, without change of residence, to a school outside this public school district. The reentry code to use with W04 shall be R04, R05, or R07;~~
- ~~(q) W05—A pupil who has moved out of this public school district and for whom a request for student records has been received or enrollment has been substantiated. The reentry code to use with W05 shall be R04, R05, or R07;~~
- ~~(r) W06—A pupil who is at least sixteen (16), but not yet eighteen (18) years of age and has dropped out. The reentry code to use with W06 shall be R06;~~
- ~~(s) W07—A pupil withdrawn due to those communicable medical conditions that pose a threat in school environments listed in 902 KAR 2:020, Section 1(1), accompanied by a doctor's statement certifying the condition, or any other health related condition for which~~

~~the student is too ill to participate in regular school attendance or local homebound instructional services, or if the student has obtained a doctor's statement certifying the condition. The reentry code to use with W07 shall be R06;~~

~~(t) W08—A pupil withdrawn due to death;~~

~~(u) W09—A pupil who has graduated or completed a 504 plan or an individual education plan prior to the end of the school term or year;~~

~~(v) W10—A pupil who has been expelled for behavioral reasons withdrawn to a state agency. The reentry code to use with W10 shall be:~~

~~1. R06, if the student returns to the expelling local school district in the current school year after the expulsion period has been completed; or~~

~~2. R10, if the student returns to the expelling local district in the current school year prior to completion of the expulsion period;~~

~~(w) W11—A pupil who has been expelled for behavioral reasons and withdrawn to a regional alternative facility not run by the expelling local school district. The reentry code to use with W11 shall be:~~

~~1. R06, if the student, after the expulsion period has ended, returns during the current school year; or~~

~~2. R11, if the student returns in the current school year prior to completion of the expulsion period;~~

~~(x) W12—A pupil under the jurisdiction of the court. The reentry code to use with W12 shall be R06. For end of year adjustments, for accountability purposes, a W12 shall be recorded as a W16 if the district cannot substantiate enrollment in the proper educational setting as designated by the court;~~

~~(y) W13—A pupil withdrawn for a second or subsequent time who initially withdrew as a W06, W07, W10, W13, W16 or W18, and has previously been reported as a drop-out for accountability purposes. The reentry code to use with W13 shall be R06;~~

~~(z) W16—A pupil who has moved out of the public school district for whom enrollment elsewhere has not been substantiated. For end of year adjustments for accountability purposes, the W16 code shall be applicable to pupils enrolled at the end of the previous school year who failed to enroll in this or any other school district at the beginning of the current school year;~~

~~(aa) W17—An entry level student in the primary program, withdrawn during the first two (2) school months due to immaturity or mutual agreement by the parent, guardian or other custodian and the school in accordance with 704 KAR 5:060; and~~

~~(bb) W18—A pupil eighteen (18) years of age or over who has withdrawn. The reentry code to use with W18 shall be R06.~~

~~(2) Beginning July 1, 2005,]~~ The following entry, reentry and withdrawal codes shall be used to indicate the enrollment status of pupils:

(1[a]) E01 - A pupil enrolled for the first time during the current year in either a public or nonpublic school in the United States;

(2[b]) E02 - A pupil previously enrolled during the current school year in either a public or nonpublic school in another state who has not previously enrolled in Kentucky during the current school year;

(3[e]) E03 - A pupil enrolling for the first time during the current school year in either a public or nonpublic school, who withdrew as a W06, W07, W13, W16 or W18 during the

- 1 2004-2005 school year or as a W24 or W25 for previous school years (beginning 2005-
2 2006);
- 3 (4[~~d~~]) R01 - A pupil received from another homeroom in the same school;
- 4 (5[~~e~~]) R02 - A pupil received from another public school in the same public school
5 district;
- 6 (6[~~f~~]) R06 - A pupil reentering the school after dropping out, discharge or expulsion from
7 a school district in Kentucky during the current school year, who has not entered any
8 other school during the intervening period;
- 9 (7[~~g~~]) R20 - A pupil previously enrolled in a home school in Kentucky during the current
10 school year;
- 11 (8[~~h~~]) R21 - A pupil previously enrolled in any public or nonpublic school (excluding
12 home schools) in Kentucky during the current school year;
- 13 (9[~~i~~]) W01 - A pupil transferred to another homeroom in the same school. The reentry
14 code to use with W01 shall be R01;
- 15 (10[~~j~~]) W02 - A pupil transferred to another public school in the same public school
16 district. The reentry code to use with W02 shall be R02;
- 17 (11) W07 - A pupil withdrawn due to those communicable medical conditions that pose a
18 threat in school environments listed in 902 KAR 2:020, Section 1(1), accompanied by a
19 doctor's statement certifying the condition, or any other health related condition for which
20 the student is too ill to participate in regular school attendance or local homebound
21 instructional services, or if the student has obtained a doctor's statement certifying the
22 condition. The reentry code to use with W07 shall be R06;
- 23 (12) W08 - A pupil withdrawn due to death;

1 (13) W09 - A pupil who has graduated or completed a 504 plan or an individual
2 education plan prior to the end of the school term or year;

3 (14[k]) W12 - A pupil under the jurisdiction of the court. For purposes of the W12 code,
4 a pupil may be considered under the jurisdiction of the court on the day the petition is
5 filed with the court. The reentry code to use with W12 shall be R06. For accountability
6 purposes, a W12 shall be considered a dropout if the district cannot substantiate
7 enrollment in the proper educational setting as designated by the court;

8 (15[l]) W17 - An entry level student in the primary program, withdrawn during the first
9 two (2) months enrolled due to immaturity or mutual agreement by the parent, guardian
10 or other custodian and the school in accordance with 704 KAR 5:060;

11 (16[m]) W20 - A pupil transferred to a home school. The reentry code to use with W20
12 shall be R20;

13 (17[n]) W21 - A pupil transferred to a nonpublic school (excluding home school). The
14 reentry code to use with W21 shall be R21;

15 (18[o]) W22 - A pupil who has transferred to another public school district and for whom
16 a request for student records has been received or enrollment has been substantiated, or a
17 pupil who is known to have moved out of the United States;

18 (19[p]) W23 - A pupil withdrawn for a second or subsequent time who initially withdrew
19 as a W24 or W25 during the current school year;

20 (20[q]) W24 - A pupil who has moved out of this public school district for whom
21 enrollment elsewhere has not been substantiated;

22 (21[r]) W25 - A pupil who is at least sixteen (16) years of age and has dropped out of
23 public school;

- 1 (22[s]) W26 - A pupil who has withdrawn from school after completing a secondary
2 GED program and receiving a GED certificate; and
3 (23[¶]) W27 - a student who has withdrawn from school and subsequently received a
4 GED.

5 Section 18. (1) The following suspension codes shall be used to indicate the suspension
6 status of pupils:

- 7 (a) S - Suspension from school for one (1) full day; and
8 (b) N - Suspension from school for one-half (1/2) day.
9 (2) Suspension shall be considered an unexcused absence.

10 Section 19. The following ethnic codes shall be used to indicate the ethnic origin of
11 pupils:

- 12 (1) 1 - White (not Hispanic) - A person having origins in any of the original peoples of
13 Europe, North Africa or the Middle East;
14 (2) 2 - Black (not Hispanic) - A person having origins in any of the black racial groups of
15 Africa;
16 (3) 3 - Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American
17 or other Spanish culture of origin regardless of race;
18 (4) 4 - Asian or Pacific Islander - A person having origins in any of the original peoples
19 of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
20 (5) 5 - American Indian or Alaskan Native - A person having origins in any of the
21 original peoples of North America, and who maintains cultural identification through
22 tribal affiliation or community recognition; and
23 (6) 6 - Other.

1 Section 20. (1) The Student Dropout Questionnaire shall be completed during the one (1)
2 hour counseling session mandated in accordance with KRS 159.010. Information
3 obtained from this survey shall be submitted to the Department of Education on the local
4 Superintendent's Annual Attendance Report no later than June 30 of each year.

5 (2) The request for records and other information involving the withdrawal and transfer
6 of pupils shall be processed by the local superintendent or his designee pursuant to KRS
7 159.170, and shall be maintained in the student's permanent file.

8 Section 21. Incorporation by Reference. (1) The following material is incorporated by
9 reference:

10 (a) "Growth Factor Report", June 2004;

11 (b) "Superintendent's Annual Attendance Report", June 2004; and

12 (c) "Student Dropout Questionnaire", December 2002.

13 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
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15 Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to
16 4:30 p.m.